

No. 24-13294

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United States Court of Appeals  
for the Eleventh Circuit

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C.B.,

*Plaintiff-Appellant,*

v.

NASEEB INVESTMENTS, INC.,

*Defendant-Appellee.*

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*On Appeal from the United States District Court  
for the Northern District of Georgia  
No. 1-20-cv-4213*

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**REPLY IN SUPPORT OF MOTION FOR LEAVE  
TO FILE OUT-OF-TIME BRIEF OF AMICI CU-  
RIAEC A.G. AND G.W. IN SUPPORT OF C.B.**

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August 4, 2025

*Counsel for Amici Curiae*

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## **CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT**

These people and entities have an interest in this case's outcome:

- A.G. – Appellant in *A.G. v. Northbrook Industries, Inc.* (Appeal No. 25-10816)
- Amin, Nalini – Joint Owner of Naseeb Investments, Inc.
- Amin, Vic – Joint Owner of Naseeb Investments, Inc.
- Andersen, Tate & Carr, P.C. – Law firm representing A.G. & G.W.
- Atkins, Sabrina Lynn – Counsel for Naseeb Investments, Inc.
- Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C. – Counsel for Movant Choice Hotels International Inc.
- Beranek, Lori M. – Counsel for Movants U.S. Attorney's Office and Federal Bureau of Investigation
- Bondurant, Mixson & Elmore LLP – Counsel for C.B.
- Bouchard, David – Counsel for A.G. & G.W.
- Boulee, J.P. – United States District Court Judge
- C.B. – Appellant
- Cartiga Consumer Funding, LLC – Funding for C.B.
- Choice Hotels International, Inc. – Movant in District Court
- Colette, Hervey Joseph – Counsel for Movant View Point Health
- Clopton, Andrew – Counsel for International Franchise Association
- Cooper, Belle-Anne – Counsel for C.B.

- Ekpo, Oto – Counsel for A.G. & G.W.
- Federal Bureau of Investigation – Movant in District Court
- Finch McCranie, LLP – Law firm representing A.G. & G.W.
- Fine, Julie – Counsel for International Franchise Association
- Fireman's Fund – Insurer for Northbrook Industries, Inc.
- Freeman Mathis & Gary, LLP – Counsel for Movant View Point Health
- G.W. – Appellant in *G.W. v. Northbrook Industries, Inc.* (Appeal No. 25-10829)
- Galloway, Sara – Counsel for Northbrook Industries, Inc.
- Gilmore, Tracy Anne – Counsel for Naseeb Investments, Inc.
- Greenaway, Amber – Counsel for C.B.
- Harris, Roger E. – Counsel for Naseeb Investments, Inc.
- International Franchise Association
- Jones Day – Law firm for International Franchise Association
- Knisely, Gabriel – Counsel for A.G. & G.W.
- Lee, Christopher Sue – Counsel for Movant View Point Health
- Lewis Brisbois Bisgaard Smith, LLP – Law firm representing Northbrook Industries, Inc.
- McDonough, Patrick – Counsel for A.G. & G.W.
- Mobley, Cameron – Counsel for Northbrook Industries, Inc.

- Naseeb Investments, Inc. d/b/a The Hilltop Inn a/k/a EconoLodge – Appellee
- Northbrook Industries, Inc. – Appellee in A.G. v. Northbrook Industries, Inc. and G.W. v. Northbrook Industries, Inc.
- Patel, Atul – Joint Owner of Naseeb Investments, Inc.
- Patel, George – Joint Owner of Naseeb Investments, Inc.
- Ramachandrappa, Naveen – Counsel for C.B.
- Stoddard, Matthew – Counsel for C.B.
- Swift, Currie, McGhee & Hiers, LLP – Counsel for Naseeb Investments, Inc.
- The Stoddard Firm – Counsel for C.B.
- Tonge, Jonathan – Counsel for A.G. & G.W.
- Totenberg, Amy – United States District Court Judge
- Tropper, Joshua – Counsel for Movant Choice Hotels International Inc.
- Turner, Sara Marie – Counsel for Movant Choice Hotels International Inc.
- United States Attorney’s Office – Movant in District Court
- View Point Health – Movant in District Court
- Wagner, Kori – Counsel for Naseeb Investments, Inc.
- Ward, Alice – Counsel for Northbrook Industries, Inc.
- Weeks, Rory – Counsel for A.G. & G.W.
- WLG Atlanta, LLC – Counsel for C.B.

- Zabresky, Janelle – Counsel for C.B.

Choice Hotels International, Inc. (CCH) is a publicly traded company that may have an interest in the outcome of this case or appeal.

**REPLY IN SUPPORT OF MOTION FOR LEAVE TO FILE  
OUT-OF-TIME BRIEF OF AMICI CURIAE A.G. AND G.W.  
IN SUPPORT OF C.B.**

Proposed amici curiae A.G. and G.W. noted in their motion for leave to file an out-of-time brief that Naseeb Investments opposes their motion. But Naseeb Investment's reasons for doing so, made clear in its opposition filed Friday afternoon (August 1), are thin.

Naseeb Investments doesn't dispute that this Court has a duty to faithfully interpret the TVPRA's civil-beneficiary provision and apply it here. Nor does Naseeb Investments dispute that this appeal depends on this provision's meaning. Naseeb Investments, however, thinks this a straightforward question of applying the "binding precedent" of *Doe #1 v. Red Roof Inns, Inc.*, 21 F.4th 714 (11th Cir. 2021), "as further explained" by *K.H. v. Riti, Inc.*, No. 23-11682, 2024 WL 505063 (11th Cir. Feb. 9, 2024). Resp. at 2.

Unsurprisingly, C.B. disagrees—certainly with Naseeb's view of *Red Roof* and *Riti*. Proposed amici curiae also disagree. And they believe that the question before the Court is not only hard enough to warrant oral argument but also complicated enough to call for supplemental briefing on the role of proximate cause in TVPRA civil actions—an issue

unaddressed by the Court’s prior cases or the parties’ briefs. How best to proceed is, of course, the Court’s call.

That said, the helpfulness of proposed amici curiae’s brief depends largely on whether the Court agrees with them (and C.B., to a lesser extent) that much of *Red Roof*’s interpretation of the TVPRA civil-beneficiary provision—elements one, three, and four—is dicta. But if proposed amici curiae are correct, then the Court will need to interpret these elements to resolve this appeal. In doing so, the Court can (and almost certainly will) review *Red Roof*’s dicta to see if they are persuasive. The Court may also review other cases on the statute’s meaning. The Court will review the parties’ briefs. The Court will review the brief of amicus curiae International Franchise Association, filed the day after C.B. filed her reply, that argues for the interpretations in *Red Roof* and *Riti*.

But the Court will not be constrained to those sources. For the Court’s duty to correctly interpret the law goes beyond what the parties argue or the district court decided. *See Kamen v. Kemper Fin. Servs., Inc.*, 500 U.S. 90, 99 (1991); *McCarthan v. Dir. of Goodwill Indus.-Suncoast, Inc.*, 851 F.3d 1076, 1099 (11th Cir. 2017). And this is where proposed amici curiae’s brief will (they hope) prove useful. That’s because they

provide a complete, albeit different, interpretation of the TVPRA civil-beneficiary provision than the parties or caselaw. The Court is well within its discretion to consider their interpretation when deciding what the statute means. And the Court is free to agree with their interpretation—if they are right—regardless of whether the Court grants them leave to file an out-of-time brief.

Accordingly, proposed amici curiae ask the Court to grant them leave to file the out-of-time brief attached to their motion. *See Ex. 1 to 11th Cir. Doc. 53.* In the alternative, they ask that their motion be carried with the appeal and decided when the panel issues its opinion.

Respectfully submitted on August 4, 2025.

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## CERTIFICATE OF COMPLIANCE

This brief complies with the word limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because this document contains 1,397 words.

This document complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6).

*/s/ Rory A. Weeks*  
Rory A. Weeks